

Jodie Berger (SBN 124144)

jberger@wclp.org

Richard Rothschild (SBN 67356)

rrothschild@wclp.org

Robert Newman (SBN 86534)

rnewman@wclp.org

Antionette Dozier (SBN 244437)

adozier@wclp.org

WESTERN CENTER ON LAW & POVERTY

3701 Wilshire Blvd., Suite 208

Los Angeles, CA 90010

T: (213) 235-2617

F: (213) 487-0242

Lindsay Nako (SBN 239090)

lnako@impactfund.org

Fawn Rajbhandari-Korr (SBN 315888)

fkorr@impactfund.org

Meredith Dixon (SBN 346864)

mdixon@impactfund.org

IMPACT FUND

2080 Addison St., Suite 5

Berkeley, CA 94704

T: (510) 845-3473

F: (510) 845-3654

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ANIK A OKJE ERDMANN-BROWNING
and JACQUELINE BENITEZ, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

THOMAS J. VILSACK, Secretary, United
States Department of Agriculture, in his
official capacity; SHALANDA YOUNG,
Director of the United States Office of
Management and Budget, in her official
capacity.

Defendants.

Case No.: 4:23-cv-04678-JST

**DECLARATION OF HILARY HOYNES
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

CLASS ACTION

Action filed: September 12, 2023

DECLARATION OF HILARY HOYNES

I, Hilary Hoynes, hereby declare:

1. I am a Professor of Economics and Public Policy and hold the Haas Distinguished Chair in Economic Disparities at the University of California, Berkeley. In addition, I am the co-director of the Berkeley Opportunity Lab, which operates as the central research hub for UC Berkley scholars researching social and economic inequality in the Unities States. My research for more than 30 years has focused on poverty, inequality, food and nutrition programs, and the impacts of government tax and transfer programs on low-income families. I submit this declaration in support of Plaintiffs' motions for a preliminary injunction and for provisional class certification. If called as a witness, I could and would competently testify to the following.

2. My research and areas of expertise include the impact of food and nutrition programs, such as the Supplemental Nutrition Assistance Program ("SNAP"), on low-income families, with a particular focus on the effects on children. The goal of SNAP (formerly known as Food Stamps) is to improve nutrition among the low-income population. According to my research, for every dollar (\$1) the SNAP program costs, the long-run benefits to a child receiving SNAP benefits – increased benefits and longer life expectancy – are fifty six dollars (\$56).¹ In California, the SNAP program is known as CalFresh and it is the largest food assistance program in the nation.² As of May 2023 around 5.2 million individuals and 3.0 million households received CalFresh.³

3. In my opinion, delays in providing SNAP benefits cause low-income households either to suffer or be at risk of suffering hardships, including:

- Going hungry;
- Paying for food at the expense of other necessities of life, or, alternatively, paying for other necessities of life at the expense of having enough to eat;
- Children being unable to go to school because they are ill or weak due to hunger; and
- Children's reduced participation and performance in school, including being at greater risk for disciplinary actions for acting out, due to hunger.

¹ Martha Bailey, Hilary Hoynes, Maya Rossin-Slater & Reed Walker, *Is the Social Safety Net a Long-Term Investment? Large Scale Evidence from the Food Stamps Program*, NBER Working Paper 26942, 5.

² Public Policy Institute of California, *The CalFresh Food Assistance Program* (September 2020), <https://www.ppic.org/publication/the-calfresh-food-assistance-program/>

³ <https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap>

1 A. Qualifications

2 4. I received my PhD in Economics from Stanford University and my undergraduate degree
3 in Economics and Mathematics from Colby College.

4 5. My research is grounded in statistical data and calculated analysis of data sets. I rely on
5 these data sets to come to conclusions related to implications of programs such as SNAP on child
6 well-being. Overall, evidence suggests that SNAP's positive effect on alleviating child poverty and
7 improving nutrition translates into lasting effects on lifelong well-being.⁴

8 6. I have been the author or co-author of over 75 articles and chapters in peer reviewed and
9 academic publications. My publications that focus on SNAP include: Douglas Almond, Hilary
10 Hoynes, & Diane Whitmore Schanzenbach, *Inside the War on Poverty: The Impact of the Food Stamp*
11 *Program on Birth Outcomes*, 93(2) Rev. Econ. & Stat. 387-403 (2011); Hilary Hoynes, & Diane
12 Whitmore Schanzenbach, *Work Incentives and the Food Stamp Program*, 96(1-2) J. Pub. Econ. 151-
13 162 (2012); Hilary Hoynes, Leslie McGranahan, & Diane Schanzenbach, *SNAP and Food*
14 *Consumption*, in SNAP Matters: How Food Stamps Affect Health and Well-Being 107-133 (Judith
15 Bartfeld et al. eds., Stanford University Press 2015); Erin Bronchetti, Garret Christensen & Hilary
16 Hoynes, *Local Food Prices, SNAP Purchasing Power, and Child Health*, 68 J. Health Econ. 2019, at
17 1-17; and Hilary Hoynes, Diane Whitmore Schanzenbach, & Douglas Almond, *Long-Run Impacts of*
18 *Childhood Access to the Safety Net*, 106(4) Am. Econ. Rev. 903-934 (2016). Among my other
19 publications are the following: Hilary Hoynes, *Work, Welfare, and Family Structure: What Have We*
20 *Learned?* in Fiscal Policy: Lessons From Economic Research 101-146 (Alan Auerbach ed. 1997);
21 Marianne Bitler & Hilary Hoynes, *Welfare Reform and Indirect Impacts on Health* in Making
22 Americans Healthier: Social and Economic Policy as Health Policy 231-280 (Robert Schoeni et. al.
23 eds. 2008); Hilary Hoynes, Marianne Page & Ann Stevens, *Can Targeted Transfers Improve Birth*
24 *Outcomes? Evidence from the Introduction of the WIC Program*, 95 J. Pub. Econ. 813-827 (2011);
25 Marianne Bitler, Hilary Hoynes & Elira Kuka, *Child Poverty, the Great Recession, and the Social*
26 *Safety Net in the United States*, 36(2) J. Pol'y Analysis & Mgmt. 358-389 (2017); Hilary Hoynes &
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⁴ Bailey, *Social Safety Net*, supra, at 1.

1 Diane Whitmore Schanzenbach, *Safety Net Investments in Children*, 2018 Brookings Papers on Econ.
 2 Activity. 89-150; *Cyclicalities of the U.S. Safety Net: Evidence from the 2000s and Implications for the*
 3 *Covid-19 Crisis*, National Tax Journal. 2020 Sep, 73(3):759–780; and Marianne Bitler, Hilary Hoynes
 4 & Diane Whitmore Schanzenbach, *The Social Safety Net in the Wake of COVID-19*, Brookings Papers
 5 on Economic Activity. 119-145 (2020); Bailey, Martha, Hilary Hoynes, Maya Rossin-Slater, and
 6 Reed Walker, *Is the Social Safety Net a Long-Term Investment? Large-Scale Evidence from the Food*
 7 *Stamps Program*, Forthcoming, Review of Economic Studies; Bitler, Marianne, Hilary Hoynes and
 8 Diane Schanzenbach, *Suffering, the Safety Net and Disparities during COVID-19* Russell Sage
 9 Foundation Journal of the Social Sciences, Vol. 9, Issue 3, May 2023.

10 7. I have been asked to give keynotes and lectures on international, national and regional
 11 levels. In 2016, I presented as an invited speaker on “Why SNAP Matters” to the Conversation on
 12 Child Hunger at the White House, as a keynote speaker for the Agricultural & Applied Economics
 13 Association, and as an invited public lecturer for the Stanford Center on Food Security and the
 14 Environment. In 2018, I was an invited public lecturer on “Safety Net Investments in Children: The
 15 Evidence on SNAP/CalFresh” at the University of California Center. In October 2020, I was a
 16 Keynote Speaker for the California Association of Food Banks Conference.

17 8. I am a Member of the Board of Directors for the California Budget and Policy Center and
 18 for MDRC.

19 9. I am an elected member of the National Academy of Sciences, the American Academy of
 20 Arts and Sciences, and the National Academy of Social Insurance, and a Fellow of the Society of
 21 Labor Economists. I am on the editorial board of the American Economic Review: Insights. I
 22 currently serve on the Committee on National Statistics for the National Academy of Sciences,
 23 Engineering and Medicine.

24 10. I am an elected officer, Vice President, of the American Economic Association.

25 11. I have served as Co-Editor of the American Economic Review and the American
 26 Economic Journal: Economic Policy. I have served on the National Academy of Sciences Committee
 27 on Building an Agenda to Reduce the Number of Children in Poverty by Half in 10 Years, the
 28 American Economic Association’s Executive Committee, the Federal Commission on Evidence-

Based Policy Making, the Advisory Committee for the National Science Foundation, and the National Advisory Committee of the Robert Wood Johnson Foundation Scholars in Health Policy Research Program.

12. I have received the Carolyn Shaw Bell Award from the Committee on the Status of the Economics Profession of the American Economic Association.

13. Attached to this declaration and Marked as Exhibit A is a true copy of my curriculum vitae.

B. Observations and opinions

14. I have been informed that there is likely to be a nationwide suspension of SNAP benefits beginning January 1, 2024, for all households certified to receive those benefits in January.

15. My research and writings have focused on the positive outcomes of SNAP on children's wellbeing and health from birth to early adulthood. SNAP is critical for ensuring low-income people of all ages have access to adequate nutrition, but its benefits to children are especially profound and long-lasting. From October 2018 through September 2019, 43% of SNAP participants were children.⁵ In addition to children being such a large subset of the population that benefits from SNAP, they are also the population that benefits the most when SNAP is available to them. Research has shown that in utero and early childhood events have important effects for a range of later life outcomes.⁶ Being exposed to SNAP before the age of 5 is correlated with the following outcomes: graduating high school; attending college; achieving higher earnings; living in better neighborhoods; and living longer.

16. The significance of SNAP to children's health begins even before birth. SNAP benefits have an impact on newborns.⁷ A newborn baby's birth weight is impacted by whether their mother had access to SNAP during pregnancy. When a pregnant woman has access to SNAP during the three months before giving birth, the baby's birth weight increases, reducing the incidence of low birth weights.⁸ Infants with low birth weights experience worse health and developmental difficulties in the

⁵ Food and Nutrition Services U.S. Department of Agriculture, *Characteristics of SNAP Households: FY 2019 (March 29 2021)*, <https://www.fns.usda.gov/snap/characteristics-snap-households-fy-2019>

⁶ Hillary Hoynes, Diane Whitmore Schanzenbach, & Douglas Almond, *Long-Run Impacts of Childhood Access to the Safety Net*, 106(4) Am. Econ. Rev. 903, 906 (2016).

⁷ Douglas Almond, Hilary Hoynes, & Diane Whitmore Schanzenbach, *Inside the War on Poverty: The Impact of the Food Stamp Program on Birth Outcomes*, 93(2) Rev. Econ. & Stat. 387, 402 (2011).

⁸ Almond, *Inside the War*, supra, at 387.

future.⁹ Accordingly, if a pregnant individual is missing out on SNAP benefits because their benefits are suspended or their application is not being expedited, the delay directly affects their unborn baby and can negatively impact both the baby's birthweight and their long-term health. In addition to the positive impact on birth weights, there is a connection between SNAP availability and use and a reduction in infant mortality, especially when considering death affected by nutritional deficiencies.¹⁰

17. Lack of access to SNAP during childhood—even for a short period—can negatively impact a child's health, even years later and into adulthood. As one example, access to SNAP in utero and during early childhood has been proven to significantly reduce the occurrence of metabolic syndrome, a cluster of conditions that increase the risk of heart disease, stroke and diabetes.¹¹ One of the main triggers of metabolic syndrome is when there is a lack of nutrients reaching the child during the prenatal (in utero) and early postnatal (shortly after birth) periods.¹² When a child does not get proper nutrients during that time, their body may trigger a biological mechanism to cope with the lack of nutrients.¹³ In other words, their body will change the way in which it metabolizes nutrients to help them survive. While these adaptations are critical in the moment, they are difficult to reverse even when, in the future, the child (or adult) has adequate nutrition. On net, the short-term lack of nutrients increases the risk of a long-term metabolic disorder that can result in high blood pressure, diabetes, obesity, and cardiovascular disease. Thus, the longer SNAP benefits are suspended or a SNAP application is stalled, the greater the risk of long-term impacts to a child in the household.

18. In addition to the direct impact on health outcomes, access to SNAP also has an indirect impact on health outcomes. In my research, I have analyzed the effects of SNAP purchasing power on households with children.¹⁴ Naturally, the effect of SNAP benefits largely varies depending on food prices and how far a SNAP benefit can go. For example, an individual with higher SNAP purchasing power may receive half the SNAP benefits of some other individual while still getting the same amount of food because the food in their area is priced lower. My research has shown that for households with higher SNAP purchasing power (i.e. where their SNAP benefits go a longer way),

⁹ Douglas Almond, Kenneth Chay, & David S. Lee, *The Costs of Low Birth Weight* 120(3) Q. J. Econ. 1031–83 (2005).

¹⁰ Almond, *Inside the War*, supra, at 402.

¹¹ Hoynes, *Long-Run*, supra at 905.

¹² *Id.* at 909 (“If nutrients are scarce during the prenatal (or early postnatal) period, the developing body predicts that the future will also be nutritionally deprived.”).

¹³ *Id.*

¹⁴ SNAP purchasing power is the real value of SNAP benefits when taking cost of food prices into account.

1 their resources are freed up for other necessities. It stands to reason that this dynamic would equally
 2 exist for households that do not receive any SNAP benefits, as compared to households that do receive
 3 then.

4 19. When families can access and use SNAP, it frees up resources to be used for things other
 5 than obtaining food. Children in households with higher SNAP purchasing power are able to go to the
 6 doctor, for example. Households with children are able to focus on preventative care when they have
 7 assistance for their immediate food needs.¹⁵ When immediate SNAP assistance is not available,
 8 household are less likely to get the preventative care they need.¹⁶ This is extremely crucial, especially
 9 when in the midst of the pandemic, a time in which food insecurity rates increased almost three times
 10 over pre-COVID rates.¹⁷ When a child misses routine health care appointments, they can miss
 11 immunizations running the risk of developing vaccine-preventable diseases.¹⁸ Furthermore, if a child
 12 does not participate in routine check-ups, providers cannot identify potential physical and/or cognitive
 13 delays that may require early corrective treatment.¹⁹ The lack of SNAP benefits due to a suspension
 14 or delay in approval can cause people to go without health care at critical junctures, potentially
 15 causing more severe illness down the line.

16 20. Lack of access to SNAP negatively impacts children's school attendance. Research has
 17 shown that there is a "strong negative and robust relationship between SNAP benefits and the number
 18 of school days children missed due to illness."²⁰ From the data, there are two factors that likely
 19 contribute to missing school days due to lower SNAP purchasing power. First, children in these
 20 households are in worse health due to poor nutrition, leading to absences due to illness. Second, lack

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 22
 23 ¹⁵Erin Bronchetti, Garret Christensen & Hilary Hoynes, *Local Food Prices, SNAP Purchasing Power, and Child Health*,
 24 68 J. Health Econ. 2019, at 10, 14-16 ("We document that a 10 percent increase in SNAP purchasing power increases the
 likelihood a child had a check-up in the past year by 8.1 percent and increases the likelihood that children had any doctor's
 visit in the past 12 months by 3.4 percent.").

25 ¹⁶ *Id.* at 7.

26 ¹⁷ Marianne Bittler, Hilary Hoynes & Diane Whitmore Schanzenbach, *The Social Safety Net in the Wake of COVID-19*,
 Brookings Papers on Economic Activity 119-145 (2020).

27 ¹⁸ Center for Health Care Strategies, *Covid-19 and the Decline of Well-Child Care: Implications for Childrens, Families,
 and States (October 9, 2020)*, [https://www.chcs.org/resource/covid-19-and-the-decline-of-well-child-care-implications-
 for-children-families-and-states/](https://www.chcs.org/resource/covid-19-and-the-decline-of-well-child-care-implications-for-children-families-and-states/)

28 ¹⁹ *Id.*

²⁰ Bronchetti, *Local Food Prices*, *supra* at 11, 16 ("For SNAP recipient children, a ten percent increase in SNAP
 purchasing power is associated with a decrease in missed school days of just over 1 day (or a 22 percent decrease relative
 to the mean of approximately 5 days missed).").

1 of access to SNAP increases maternal stress, where parents are less able to get children ready and to
2 school.²¹

3 21. Even if a child does attend school, missing out on SNAP benefits has been shown to
4 create a greater likelihood that the child will be subjected to school disciplinary action. That is
5 because of what is termed the “SNAP cycle,” which can impact a child’s behavior. The SNAP cycle
6 occurs when a household spends a majority of their SNAP benefits at the start of the benefit month,
7 leaving less food at the end of the month. Students from grades 5 through 8 who are in households
8 that receive SNAP benefits are more likely to receive a disciplinary infraction towards the end of their
9 SNAP month when compared to students who do not receive SNAP and are thus not subject to the
10 SNAP cycle.²² From this it can be surmised that the more a child is food insecure, the more likely
11 their behavior will be negatively impacted, and the more likely they are to receive disciplinary
12 infractions. Beyond impacting school discipline, variability in nutrition has been linked to poor
13 cognitive functioning and lower achievement in test scores.²³

14 22. The SNAP program can be viewed as an income transfer program instead of just a
15 nutrition program.²⁴ When a family is receiving SNAP benefits, it frees up economic resources so that
16 other life necessities such as housing and healthcare can be paid for. A family that no longer has to
17 make a decision between paying for food or housing reduces family stress.²⁵ This enables children to
18 perform better at school since they can focus without hunger or family stress distracting them.

19 23. The research finding measurable impacts on children’s health, education, and wellbeing
20 from the short-term absence of SNAP suggests that delays in the receipt of SNAP benefits –
21 particularly for applicants who are so impoverished that they qualify for expedited service benefits –
22 likewise negatively impact children. These negative impacts are especially harmful because
23 households eligible for SNAP do not have sufficient other resources to meet their basic needs.

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25 _____
26 ²¹ Bronchetti, *Local Food Prices*, supra at 7.

27 ²² Anna Gassman-Pines & Laura Bellows, *Food Instability and Academic Achievement: A Quasi-Experiment Using SNAP*
28 *Benefit Timing*, 55(5) Am. Educ. Res. J. 897-927 (2018).

²³ *Id.* (“Given literature that has linked nutrition as well as family stress with cognitive functioning and achievement test scores, variability in either or both of these is likely to lead to variability in children’s academic achievement throughout the SNAP benefit month.”).

²⁴ Hoynes, *Long-Run*, supra at 904.

²⁵ Hoynes, *Long-Run*, supra at 908.

1 24. In my professional opinion, the impact of not receiving SNAP benefits in a timely
2 manner causes irreparable harm to children in both the short and long term. Harm to children when
3 SNAP is not readily available takes on many forms as a result of all the family's resources being
4 diverted to putting food on the child: a child stays ill or gets sicker from not having access to medical
5 check-ups; a child becomes ill from lack of sufficient nutrition; a child misses school. Preventing this
6 harm to children is imperative and can be properly addressed when SNAP benefits are provided on
7 time.

8 I declare under penalty of perjury under the laws of the United States of America that the
9 foregoing is true and correct. Executed on November _1_, 2023, in San Francisco, California.

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12 Hilary Williamson Hoynes
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